

**DECLARATION AND PETITION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**PISTON AND ROD ASSEMBLY FOR AIR-ACTUATED VARIABLE DAMPING**

the specification of which (check one below):

- (X) is attached hereto.
- ( ) was filed on \_ as Application Serial No. \_ or Express Mail No. \_, and was amended on \_ (if applicable).
- ( ) was filed on \_ as PCT International Application No. \_\_, and as amended under PCT Article 19 on \_ (if any).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

10044615-011102

Prior Foreign Application(s)

Priority Claimed?

\_\_\_\_\_  
(Number) (Country) Day/Month/Year Filed

\_\_\_\_\_  
(Number) (Country) Day/Month/Year Filed

\_\_\_\_\_  
(Number) (Country) Day/Month/Year Filed

I hereby claim the benefit under Title 35, United States Code, §120 and/or §119(e) of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations §1.56, which became available between the filing date of the prior application and the national or PCT international filing date of this application.

09/781,868 Feb. 12, 2001 Pending  
(Serial No.) (Filing Date) (Status: Patented, Pending, or Abandoned)

\_\_\_\_\_  
(Serial No.) (Filing Date) (Status: Patented, Pending, or Abandoned)

\_\_\_\_\_  
(Serial No.) (Filing Date) (Status: Patented, Pending, or Abandoned)

Address all communications to

Scott A. McBain, Esq.  
Delphi Technologies Inc.  
Legal Staff  
P.O. Box 5052  
Mail Code 480-414-420  
Troy, Michigan 48007-5052  
Telephone: (248) 267-5514

Wherefore I pray that Letters Patent be granted to me for the invention or discovery described and claimed in the foregoing specification and claims, and I hereby subscribe my name to the foregoing specification and claims, declaration, and this petition.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements

and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of Inventor Troy A. Miller

Inventor's Signature Troy A. Miller Date 1/7/02

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Post Office Address 725B Colony Drive, York, Pennsylvania 17404

Full name of Inventor Michael L. Oliver

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Residence City/State Xenia, Ohio Citizenship U.S.

Post Office Address 1315 Smith Road, Xenia, Ohio 45385

Full name of Inventor William C. Kruckemeyer

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Residence City/State Beavercreek, Ohio Citizenship U.S.

Post Office Address 2935 Tara Trail, Beavercreek, Ohio 45434

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I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

20110515-01102

**Prior Foreign Application(s)**

**Priority Claimed?**

\_\_\_\_\_  
(Number) (Country) Day/Month/Year Filed

\_\_\_\_\_  
(Number) (Country) Day/Month/Year Filed

\_\_\_\_\_  
(Number) (Country) Day/Month/Year Filed

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Address all communications to

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Full name of Inventor Troy A. Miller

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Residence City/State York, Pennsylvania Citizenship U.S.

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Full name of Inventor Michael L. Oliver

Inventor's Signature Michael L. Oliver Date 10 JAN 2002

Residence City/State Xenia, Ohio Citizenship U.S.

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Full name of Inventor William C. Kruckemeyer

Inventor's Signature William C. Kruckemeyer Date 10 JAN 2002

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